

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/5/2022

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MARK METZLER, individually and on behalf of :  
all others similarly situated, :  
Plaintiff, :  
-against- :  
PURE ENERGY USA LLC, :  
Defendant. :  
-----X

21-CV-9798 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS Plaintiff filed this lawsuit on November 23, 2021, *see* Dkt. 1;


WHEREAS Plaintiff served Defendant on December 10, 2021, such that Defendant was required to answer or otherwise respond to Plaintiff's complaint by January 3, 2022, *see* Dkt. 7; and

WHEREAS to date, Defendant has not appeared, answered, or otherwise responded to Plaintiff's complaint;

IT IS ORDERED that Plaintiff must apply for a default judgment against Defendant, consistent with the procedures described in Attachment A to the undersigned's Individual Practices, by **January 12, 2022**, or the case will be dismissed for failure to prosecute.

**SO ORDERED.**

**Date: January 5, 2022**  
**New York, New York**

  
**VALERIE CAPRONI**  
**United States District Judge**